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REFERENCE NO

38949/295702

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COMMENTS

Please acknowledge receipt of the enclosed:

Applicant: Derek Metcalf

Title: "Adjustable Shelving Unit"

Serial No. 10/807,365 Filed March 23, 2004 Docket No. 38949/295702

1. Transmittal (1 p.); and
2. Amendment and Response (15 pp.)

Date: September 22, 2006

Kristin M. Crall, Reg. No. 46,895

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PTO/SB/21 (07-06)

Approved for use through 09/30/2006. OMB 0831-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/807,365	RECEIVED CENTRAL FAX CENTER SEP 22 2006
	Filing Date	March 23, 2004	
	First Named Inventor	Derek Metcalf	
	Art Unit	3634	
	Examiner Name	Jennifer Novosad	
Total Number of Pages in This Submission	16	Attorney Docket Number	38949/295702

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> Alter Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below)
Remarks 		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Kilpatrick Stockton LLP		
Signature	<i>Kristin Crall</i>		
Printed Name	Kristin M. Crall		
Date	September 22, 2006	Reg. No.	46,895

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Typed or printed name	Sandee Whitley	Date	September 22, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Derek Metcalf

SERIAL NO.: 10/807,365

GROUP ART UNIT: 3634

FILED: March 23, 2004

EXAMINER: Novosad, Jennifer

FOR: ADJUSTABLE SHELVING UNIT

ATTORNEY DOCKET NO.: 38949/295702

DATE: September 22, 2006

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I hereby certify that this document, together with any document referred to as enclosed or attached, is being forwarded to the Commissioner for Patents, Alexandria, VA 22313, via facsimile on this 22nd day of September, 2006.
Sandee Whitley

AMENDMENT AND RESPONSE

Sir:

In response to the Office Action of June 23, 2006, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.